

Wright Marsh & Levy
Richard A. Wright, Esq.
Nevada Bar No. 886
Sunethra Muralidhara, Esq.
Nevada Bar No. 13549
300 S. Fourth Street, Suite 701
Las Vegas, NV 89101
Phone: (702) 382-4004
Fax: (702) 382-4800
rick@wmllawlv.com
smuralidhara@wmllawlv.com

Attorneys for Kelvin Atkinson

United States District Court
District of Nevada

United States of America,

Plaintiff,

v.

Kelvin Atkinson,

Defendant.

Case No. 2:19-cr-00055-JCM-CWH

**Stipulation to Release Funds Held in
Attorney Trust**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, and Summer Johnson, Assistant United States Attorney, counsel for the United States of America, and Richard A. Wright, and Sunethra Muralidhara, of Wright Marsh & Levy, counsel for Kelvin Atkinson that the funds currently held in trust pursuant to ECF 26 and 27, be released to the Clerk of the Court for payment towards Mr. Atkinson's outstanding fine obligation.

This Stipulation is entered into for the following reasons:

1. This Court entered judgment against Mr. Atkinson on July 26, 2019, such judgment including a \$100 special assessment and a fine in the amount of \$249,900. ECF No. 21.

1 2. Accordingly, on December 26, 2019, the Government filed a writ of
2 garnishment in accordance with 18 U.S.C. § 3613 and 28 U.S.C. §§ 3002, 3202, and
3 3205 for substantial nonexempt property belonging to or due Mr. Atkinson. ECF No.
4 22. Pursuant to 18 U.S.C. § 3613(c), upon entry of judgment, a lien arose against all of
5 Atkinson's property and rights to property. The writs of garnishment were issued by the
6 Clerk of Court on December 27, 2019. ECF No. 23.

7 3. Pursuant to 28 U.S.C. § 3205(c)(3), the writ of garnishment was served on
8 Garnishee Clark County Credit Union and on Atkinson, with instructions to the
9 Garnishee and Mr. Atkinson on submission of written answers and objections to the
10 writ.

11 4. Pursuant to 28 U.S.C. § 3205(c)(4), the Government received a satisfactory
12 answer from Garnishee Clark County Credit Union.

13 5. Upon receipt of the answer of Garnishee Clark County Credit Union, the
14 Government and Mr. Atkinson conferred in an effort to avoid continued litigation and
15 to reach an agreement regarding disbursement and disposition in accord with 28 U.S.C.
16 § 3205(c)(7).

17 6. On March 13, 2020, the parties entered into a stipulation that Garnishee Clark
18 County Credit Union transfer \$25,000 to Mr. Atkinson's attorneys' trust account. Upon
19 receipt of payment by fund to this trust account, the writ of garnishment shall terminate.
20 ECF 26.

21 7. On March 16, 2020, the Court granted the parties stipulation and entered an
22 Order accordingly. ECF 27. Wright Marsh & Levy received the funds and have been
23 holding said funds in its trust account. The writ of garnishment terminated.

24
25
26 ///

1 Based on the foregoing and for good cause, the parties respectfully request that the Court
2 approve the following stipulation allowing Wright Marsh & Levy to remit \$25,000 currently
3 being held in trust on behalf of Mr. Atkinson, to the Clerk of the Court for payment towards
4 Mr. Atkinson's outstanding fine obligation.

5 DATED April 21, 2021.

6 WRIGHT MARSH & LEVY

CHRISTOPHER CHOIU
Acting United States Attorney

7
8
9 By: /s/ Richard A. Wright
10 Richard A. Wright
11 Sunethra Muralidhara
Attorneys for Mr. Atkinson

By: /s/ Summer Johnson
Summer Johnson
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 United States of America,
4 Plaintiff,

5 v.

6 Kelvin Atkinson,
7 Defendant.

Case No. 2:19-cr-00055-JCM-CWH

ORDER

9 Pursuant to the Stipulation of the Parties and for good cause appearing:

10 IT IS ORDERED that the \$25,000 being held in trust by Wright Marsh & Levy on behalf
11 of Mr. Atkinson be transferred to the Clerk of the Court for payment towards Mr. Atkinson's
12 outstanding fine obligation.

13 DATED April 26, 2021.

14
15 
16 _____
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26